



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

"To Enrich Lives Through Effective And Caring Service"

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Fifth District

October 21, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
ANCHORAGE 47 DOCK REPLACEMENT PROJECT
APPROVE APPROPRIATION ADJUSTMENT
REJECT ALL BIDS
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SPECS. 7219R1; CAPITAL PROJECT NOS. 88987 AND 89060
FOURTH DISTRICT
(4 VOTES)**

SUBJECT

The recommended actions will approve an appropriation adjustment to fully fund the Anchorage 47 Dock Replacement Project, reject all construction bids received on August 12, 2014, adopt revised plans and specifications, instruct re-advertisement of the Project for construction bids, and authorize the Director of Public Works to award and execute a construction contract for the Anchorage 47 Dock Replacement Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the appropriation adjustment to increase the appropriation in Capital Project No. 89060 to \$5,870,000 funded by commercial paper proceeds, which together with Capital Project No. 88987 will fully fund the Anchorage 47 Dock Replacement Project.
2. Reject all bids received by the Department of Public Works on August 12, 2014, for construction of the Anchorage 47 Dock Replacement Project.
3. Adopt the revised plans and specifications (Specifications 7219R1), which are on file with the Department of Public Works for construction of the Anchorage 47 Dock Replacement Project at an

estimated construction cost of \$12,000,000, and instruct the Executive Officer of the Board to advertise the Project for bids to be received and opened on November 13, 2014, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

4. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$5,000 not-to-exceed fee funded by the existing Anchorage 47 Dock Replacement project funds.
5. Delegate to the Director of Public Works, or her designee, the authority to reject all non-responsive bids and determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by the Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and to establish the effective date of the contract upon receipt by acceptable performance and payment bonds and evidence of required contractor insurance.
6. Authorize the Department of Public Works to complete the Anchorage 47 restroom renovation using a Board-approved Job Order Contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will approve an appropriation adjustment to fully fund the Project, reject all construction bids received on August 12, 2014, adopt revised plans and specifications, instruct re-advertisement of the Project for construction bids, and authorize the Director of Public Works to award and execute a construction contract for the Anchorage 47 Dock Replacement Project (Project).

The Project will include the removal of the existing aged and outdated dock system and replacement with a new dock system consisting of 11 newly reconfigured docks with 253 new slips at Anchorage 47 that will meet the County of Los Angeles' current standards for marina construction. The Project will also include repair and upgrade of the landside utilities (water, fire protection, power, and sewer) for the new reconfigured dock system, boardwalk area, parking lot, and restroom building serving Anchorage 47. In addition, as part of the Project, the existing Parcel 55 dock and landside improvements will be upgraded. The scope for Parcel 55 improvements include removal and in-kind replacement of the existing aged and dilapidated small dock system at Parcel 55 and associated landside upgrades. Parcel 55 scope is being combined with Anchorage 47 in an effort to save costs by combining this similar work into one construction contract. The landside upgrades at Parcel 55 are minimal and will include removal and replacement of the security gate and fencing, and restriping of the parking lot to provide accessible parking stalls. The Anchorage 47 and Parcel 55 dock and landside improvements will be delivered using the County's competitive low-bid process, and the Anchorage 47 restroom renovation will be completed using a Board-approved Job Order Contract (JOC).

On July 8, 2014, the Board adopted plans and specifications at an estimated construction cost of \$12,000,000, instructed that the Project be advertised for bids as required under the Public Contract Code, and authorized the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction

schedule for a \$5,000 not-to-exceed fee. On August 12, 2014, two bids were received, and the low bid was below the estimated construction cost. Bellingham Marine Industries, Inc. (BMI), was determined to be the apparent Lowest Responsive and Responsible Bidder.

After the bid opening; however, it was determined that the construction contract was not properly advertised in a newspaper of general circulation during the bidding period as required by Public Contract Code Section 20125 and as directed by the Board on July 8, 2014. Due to the potential serious legal consequences of not properly advertising a construction contract, we are recommending that the Board reject all bids received for this Project, and that the Project be re-advertised in accordance with applicable legal requirements.

The plans and specifications have been revised by the Department of Public Works (Public Works) to incorporate clarifications and revisions based on questions received from bidders during the previous bid period, and we are recommending that the Board adopt and advertise these documents for construction bids.

In order to expedite construction of the Project, it is recommended that the Board authorize the Director of Public Works to award and execute a construction contract with the Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter) if the low bid can be awarded within the total Project budget approved by the Board. If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded under delegated authority, and we will return to the Board with a revised Project scope of work and/or other funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director of Public Works may return to the Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction of the Project will begin in January 2015 and be completed by September 2016.

The Project supports the Board's Sustainable Design Program by incorporating pervious concrete pavers for reconstruction of the Anchorage 47 boardwalk area to percolate stormwater runoff; and installation of water-efficient plumbing fixtures and energy-efficient lighting fixtures in the Anchorage 47 renovated restroom facility to increase on-site water and energy conservation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Service Delivery (Goal 3). These recommended actions support the Strategic Plan by investing in public infrastructure that will enhance cultural and recreational opportunities for County residents and visitors by providing improved dock facilities at Anchorage 47 and Parcel 55 in Marina del Rey.

FISCAL IMPACT/FINANCING

The County's fair construction cost estimate for the Project is \$12,000,000, including \$11,900,000 for the low-bid construction contract and \$100,000 for the Anchorage 47 restroom renovation that will be completed separately using a Board-approved JOC. The total Project cost, including programming, plans and specifications, plan check, construction, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$15,520,000, which is consistent with the Project budget previously approved by the Board on July 8, 2014. The Project Schedule and Budget Summary are detailed in Attachment A.

Approval of the appropriation adjustment (Attachment B) will increase the appropriation in Capital Project No. 89060 to \$5,870,000, funded by commercial paper proceeds, which combined with Capital Project No. 88987 will fully fund the Project.

The Project budget of \$15,520,000 will be fully funded by \$2,450,000 of UJ5 Marina Fund-Anchorage 47 Trust Fund established for the annual operation, repair, maintenance, and replacement of the Anchorage 47 docks and premises; \$4,000,000 of surplus funds from the Department of Beaches and Harbors (Beaches and Harbors)' Fiscal Year (FY) 2013-14 Operating Budget; \$1,000,000 of parking fee revenues from Beaches and Harbors' Operating Budget, \$600,000 from the Beaches and Harbors' Marina Accumulative Capital Outlay Services and Supplies Budget (savings in the Beaches and Harbors FY 2012-13 Salary and Employee Benefit Budget); \$1,600,000 of prior year net County cost from the completed Redondo Beach Erosion Mitigation Project (Capital Project No. 86845); and \$5,870,000 of tax-exempt commercial paper proceeds. We anticipate returning to the Board upon completion of the Project to recommend a long-term financing, which will redeem the commercial paper and amortize the borrowed principal over a period of up to ten years, which is supported by the useful life of the newly constructed dock. The recommended borrowing type, par amount, and other financing details will be based on market conditions and discussions with the Treasurer and Tax Collector.

The maximum annual payment of a long-term financing of \$5,870,000 proceeds for the Project is estimated at \$720,000. Beaches and Harbors' projects that revenues generated from the newly constructed docks will be sufficient to fund debt service and will use that source to repay the borrowed funds. In the event that there is a shortfall, Beaches and Harbors will utilize its operating budget to fund the difference.

Operating Budget Impact

Beaches and Harbors does not anticipate any one-time, start-up, or an increase in ongoing maintenance and operational costs as a result of the Project.

Commercial paper proceeds will begin to pay Project costs in FY 2015-16. Interest expense to carry the commercial paper is estimated not-to-exceed \$200,000 annually until the long-term financing is obtained. These commercial paper costs will be funded through Beaches and Harbor's Operating Budget.

The slip rental revenue is anticipated to remain stable during construction as impacted boaters will be relocated to other County-operated anchorages in the Marina rather than having their leases terminated. Revenue is expected to increase once the dock replacement is complete since the new docks will command higher rents and maintain a higher occupancy rate.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Prior to becoming aware of the issues related to the proper legal advertising of the Project, Public Works, under delegated authority from the Board, issued BMI a consultant services agreement for a \$5,000 not-to-exceed fee to provide a detailed baseline construction schedule, schedule of values, and list of submittals. The deliverables under the consultant services agreement have been submitted by BMI and accepted by Public Works. The County will issue payment to BMI for the services rendered under the consultant services agreement.

It was determined, that pursuant to the Board's Civic Art Policy adopted on December 7, 2004, and amended on December 15, 2009, the Project is exempt from the Civic Art Policy funding allocation requirement.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation. As part of their bids, contractors will be required to provide unit prices for the installation of guide piles and an extended daily overhead rate applicable to any potential compensable project delay. As specified in the bid documents, the "total evaluated bid price" will be determined by adding the lump sum base bid, the unit price for the 14-inch-diameter guide piles multiplied by 50 linear feet, the unit price for the 16-inch-diameter guide piles multiplied by 150 linear feet, the unit price for 20-inch-diameter guide piles multiplied by 25 linear feet, the extended overhead daily rate multiplied by 30 calendar days, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000), if applicable.

A standard construction contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting the Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

ENVIRONMENTAL DOCUMENTATION

On April 19, 2011, April 17, 2012, and July 8, 2014, the Board found the Project categorically exempt under California Environmental Quality Act, as the Project involves repair, renovation, and minor alterations of existing facilities, and removal and replacement of existing facilities with new facilities of substantially the same size, purpose, and capacity with no expansion of use. Notices of Exemption were filed with the Registrar-Recorder/County Clerk. There has been no change to the scope of the Project since the Project was determined to be exempt.

CONTRACTING PROCESS

The restroom renovation at Anchorage 47 will be completed using a Board-approved JOC, and the dock replacement and remaining landside improvements for Anchorage 47 and Parcel 55 will be completed through the County's competitive low-bid process.

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment C).

As requested by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current County services or projects. As the Project will be implemented in phases, construction of the Project will only impact boaters whose rental slips are being replaced during a specific phase of the Project. As the County owns and operates other public docks in Marina del Rey, the impacted boaters will have the option of relocating to other available docks within the Marina or section of Anchorage 47 not under construction.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division; Department of Beaches and Harbors; and the Department of Public Works, Project Management Division I.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SHK:DJT
SW:AC:zu

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Auditor Controller

October 21, 2014

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
ANCHORAGE 47 DOCK REPLACEMENT PROJECT
APPROVE APPROPRIATION ADJUSTMENT
REJECT ALL BIDS
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SPECS. 7219R1; CAPITAL PROJECT NOS. 88987 AND 70985**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Construction Documents	03/07/2013*	
Jurisdictional Approvals	07/30/2013*	
Construction Award	10/14/2014	12/18/2014
Construction Start	11/17/2014	01/12/2015
Substantial Completion	05/10/2016	09/02/2016
Final Acceptance	07/07/2016	10/27/2016

* Actual completion date.

II. PROJECT BUDGET SUMMARY

Project Activity	Approved Project Budget
Land Acquisition	\$ 0
Construction	
Low Bid Construction Contract	\$11,900,000
Job Order Contract (Anchorage 47 Restroom)	100,000
Change Orders	1,200,000
Departmental Crafts	0
Youth Employment	0
Construction Contingency	0
Telecomm Equip – Affixed to Building	0
Civic Arts	0
Other: Utility Connection Fees	25,000
Subtotal	\$13,225,000
Programming/Development	\$ 0
Plans and Specifications	\$ 525,000
Consultant Services	
Site Planning	\$ 0
Hazardous Materials	0
Geotech/Soils Report and Soils Testing	50,000
Material Testing (Reinf. Conc. & Welding)	25,000
Cost Estimating	0
Topographic Surveys	0
Construction Management	0
Construction Administration	0
Environmental (Bio. & Water Surveys)	75,000
Move Management	0
Equipment Planning	0
Legal	0
Other: Agency Permit Support Services	17,631
Subtotal	\$ 167,631
Miscellaneous Expenditures	\$ 20,000
Jurisdictional Review/Plan Check/Permit	\$ 57,369
County Services	
Code Compliance/Quality Control Inspection	\$ 550,000
Design Review	75,000
Design Services	0
Contract Administration	125,000
Project Management	575,000
Consultant Recovery	75,000
ISD Job Order Contract Management	0
DPW Job Order Contract Management	0
ISD ITS Communications	0
Project Security	0
Project Technical Support	75,000
ISD Countywide Compliance Section	50,000
Subtotal	\$ 1,525,000
TOTAL	\$15,520,000

October 21, 2014

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
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**APPROPRIATION ADJUSTMENT
(See Attachment)**

PINK

BA FORM 03/13

BOARD OF
SUPERVISORS
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S.
NO. 060]

DEPARTMENT OF [CHIEF EXECUTIVE OFFICE]

October 21, 2014

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2014-15

4 - VOTES

SOURCES

BEACHES AND HARBORS
Anchorage 47 Dock Replacement Project (4)
J20-CP-94-9276-65024-89060
Rev: Commercial Paper Proceeds / CP
INCREASE REVENUE \$5,870,000

USES

BEACHES AND HARBORS
Anchorage 47 Dock Replacement Project (4)
J20-CP-6014-65024-89060
Capital Assets - Building and Improvement
INCREASE APPROPRIATION \$5,870,000

SOURCES TOTAL: \$ 5,870,000

USES TOTAL: \$ 5,870,000

JUSTIFICATION

The appropriation adjustment is necessary to fully fund the Anchorage 47 Replacement Project.


AUTHORIZED SIGNATURE Sabra White

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR ---☐ ACTION☒ RECOMMENDATION

AUDITOR-CONTROLLER

BY 

B.A. NO. 037

Oct. 7 20 14

☒ APPROVED AS REQUESTED☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY 

Oct 8 20 14

October 21, 2014

ATTACHMENT C

**DEPARTMENT OF PUBLIC WORKS:
ANCHORAGE 47 DOCK REPLACEMENT PROJECT
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC FEE</u>	<u>DATE OF BID OPENING</u>
4	7219R1	Anchorage 47 Dock Replacement Project 13575 Mindanao Way Marina del Rey, CA 90292	\$75	November 13, 2014

Copies of the Project manual and drawings may be downloaded free of charge from the County of Los Angeles, Department of Public Works website (<http://dpw.lacounty.gov/go/constructioncontracts>), or may be purchased for the fee stated above at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. For bid information, please contact Ms. Ivonne Pena of Architectural Engineering Division at (626) 458-2585. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803, by no later than 2:00 p.m. on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 2:30 p.m. on the same date in the conference rooms at 900 South Fremont Avenue, Alhambra, California 91803.

This Project requires the general contractor firm to possess an active A license classification at the time of bid.

In addition, in order to meet the minimum experience requirements so as to qualify to bid on this project, the general contractor must have previously completed, as a prime contractor or as a subcontractor, at least two similar type projects within the last 10 years that included installation of prefabricated concrete module floating boat docks with precast concrete guide piles.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770. Copies of the prevailing rate per diem wages are on file at the Department of Public Works, which shall be made available to any interested party upon request.

PREBID CONFERENCE

The Department of Public Works Project Management Division I will hold a prebid conference at 10 a.m., on October 30, 2014, at the project site, 13575 Mindanao Way, Marina del Rey, California 90292, to provide information on the scope of work and answer basic questions that the potential bidders may have. Detailed questions or additional information must be submitted in writing to Ms. Ivonne Pena with the Department of Public Works Architectural Engineering Division at Fax No. (626) 979-5311, or you may contact her at (626) 458-2585.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Individuals requiring reasonable accessibility accommodations may request written materials in alternate formats, physical accessibility accommodations, sign language interpreters or other reasonable accommodations by contacting our departmental Americans with Disabilities Act Coordinator at (626) 458-4081, from 7:30 a.m. to 5:00 p.m., Monday through Thursday (excluding holidays). Persons who are deaf or hard of hearing may make contact by first dialing the California Relay Service at 7-1-1. Requests should be made at least one week in advance to ensure availability. When making a reasonable accommodation request, please reference **[PJ-I]**.



Individuos que requieran acomodamiento razonable accessible pueden solicitar materiales escritos en formatos alternativos, acomodamiento físico accesible, intérpretes en lenguaje de señas Americano ú otros acomodamientos razonables comunicándose con nuestro Coordinador Departamental del Acto de Americanos con Incapacidades al (626) 458-4081, de 7:30 a.m. a 5:00 p.m., Lunes a Jueves (excluyendo días festivos). Personas sordas o con problemas auditivos pueden comunicarse primero marcando al Servicio de Difusión de California al 7-1-1. Solicitudes pueden hacerse por lo menos una semana antes para asegurar disponibilidad. Cuándo se haga una petición razonable para acomodo, por favor mencione **[PJ-I]**.

By order of the Board of Supervisors of the County of Los Angeles, State of California, dated October 21, 2014.